

ESTTA Tracking number: **ESTTA296370**

Filing date: **07/21/2009**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91190603
Party	Defendant CHEMPORT INCORPORATION
Correspondence Address	Sangwon S. Kim LRK Patent Firm , LLC 1952 Gallows Road, Suite 200 Vienna, VA 22182 UNITED STATES
Submission	Answer
Filer's Name	M. Scott Alprin
Filer's e-mail	trademarks@alprinlaw.com, swkimlaw@gmail.com
Signature	/M. Scott Alprin/
Date	07/21/2009
Attachments	Apex LLC v. Chemport Inc. - ANSWER.doc.pdf (2 pages)(225632 bytes)

APEX, LLC,
 Opposer,
 v.
 CHEMPORT INCORPORATION,
 Applicant.

Opposition No. 91190603

COMES NOW the Applicant Chemport Incorporation ("Applicant"), by and through counsel, and responds to the Notice of Opposition filed by Opposer Apex, LLC, by responding to each enumerated paragraph of the said Opposition. Any allegation in the Opposition not specifically admitted herein is denied.

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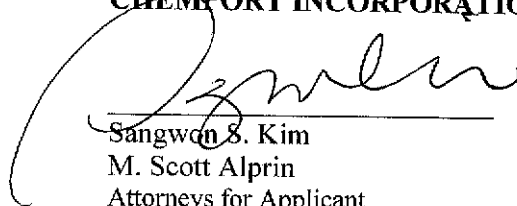
6. Applicant lacks sufficient knowledge and information upon which to form a belief as to the truth of the allegations contained in Paragraph 6, and therefore denies the same.
7. Applicant admits the allegations set forth in Paragraph 7.
8. Applicant admits the allegations set forth in Paragraph 8.
9. Applicant repeats and incorporates its denials, admissions, and statements of insufficient knowledge with respect to the foregoing enumerated paragraphs.
10. Applicant denies the allegations in Paragraph 10.
11. Applicant denies the allegations in Paragraph 11.
12. Applicant denies the allegations in Paragraph 12.
13. Applicant denies the allegations in Paragraph 13.
14. Applicant repeats and incorporates its denials, admissions, and statements of insufficient knowledge with respect to the foregoing enumerated paragraphs.
15. Applicant denies the allegations in Paragraph 15.

Applicant will assert any affirmative defense or compulsory or permissive counterclaim that may be developed throughout discovery and testimony periods in this proceeding.

WHEREFORE, Applicant respectfully prays that Judgment be entered for Applicant and against Opposer in this proceeding, that the Opposition be dismissed, and that Applicant's mark be allowed to advance to registration on the Principal Register.

Date: 7/21/09

CHEMPORT INCORPORATION



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CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing Answer has been served on Apex, LLC by depositing said copy in the mail on July 21, 2009 via pre-paid First Class Mail, addressed to:

Gailyc C. Sonia
Apex, LLC
100 Main Street
Pawtucket, RI 02860



Sangwon S. Kim